

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re	:	Chapter 11
	:	
LEHMAN BROTHERS HOLDINGS INC., et al.,	:	Case No. 08-13555 (SCC)
	:	
Debtors.	:	(Jointly Administered)
	X	

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**ORDER GRANTING MOTION OF THE PLAN ADMINISTRATOR  
TO COMPEL COMPLIANCE WITH ALTERNATIVE  
DISPUTE RESOLUTION PROCEDURES ORDER WITH  
RESPECT TO CAPITAL PARTNERS SECURITIES CO., LTD.**

Upon the motion, dated March 1, 2021 (“Motion”),<sup>1</sup> of Lehman Brothers Holdings Inc. (“LBHI” and, in its capacity as Plan Administrator, the “Plan Administrator”), as Plan Administrator under the *Modified Third Amended Joint Chapter 11 Plan of Lehman Brothers Holdings Inc. and Its Affiliated Debtors*, seeking to compel Capital Partners Securities Co., Ltd. (“CPS”) to comply with the procedures set forth in the ADR Order, all as more fully described in the Motion; and the Court having jurisdiction to consider the Motion and the relief requested therein in accordance with 28 U.S.C. §§ 157 and 1334, the Amended Standing Order of Reference M-431, dated January 31, 2012 (Preska, C.J.) and the ADR Order; and consideration of the Motion and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Motion having been provided to CPS and the Mediator, and it appearing that no other or further notice need be provided; and upon the opposition (“Opposition”) to the Motion filed on March 16, 2021 by CPS on its own behalf and not by a licensed counsel; and upon the reply (“Reply”) filed on March 19, 2021 by the Plan Administrator in response to the Opposition and in further support of the Motion; and a hearing having been held to consider the relief requested in

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<sup>1</sup> Capitalized terms not otherwise defined in this Order shall have the meanings ascribed to them in the Motion.

the Motion at which the Plan Administrator appeared through counsel and CPS appeared on its own behalf and not through a licensed counsel; and the Court having found and determined that the relief sought in the Motion is in the best interests of LBHI, its estate, its creditors, and all parties in interest and that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor, it is

ORDERED that the Motion is granted as set forth herein; and it is further

ORDERED that CPS is hereby directed to participate in the mediation of the Excess Payment Dispute in good faith utilizing the Zoom platform; and it is further

ORDERED that CPS is required to participate in any further hearings in this Court through a licensed counsel; and it is further

ORDERED that CPS may be subject to sanctions by this Court if it is later determined that, after the date of this Order, it is not participating in the mediation of the Excess Payment Dispute in good faith; and it is further

ORDERED that this Court shall retain exclusive jurisdiction to hear and determine all matters arising from or related to this Order.

Dated: March 24, 2021  
New York, New York

/S/ Shelley C. Chapman  
UNITED STATES BANKRUPTCY JUDGE